

Arnett L. Thomas, Plaintiff  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Arnett L. Thomas, Vernon D. Robinson,  
Odell White, Charles Wheeler,  
John Schofstaff, April Dunn,  
Daniel Spector, Julie Butler,  
Luis Juarez, Lisa Burhannan,  
Araceli Buendia Ilagan, Freddie Brown Jr.,  
Freddie Brown III, Lorena Borjas,  
Mary Lou Armer, Tawauna Averette,  
Peyton Baungarth, Gianmarco Bertolotti,  
Sgt. Terek Patterson, Martin Douglas,  
Robert McNeil, Kyra Swartz,  
Rhoda Hatch, Peter Brown,  
Theodore Gaffney, Rodger McKinney,  
Joseph F. Kelly, Julie Butler,  
Helene R. Robinson, LeShawn Robinson,

Plaintiffs., et al.

-vs-

Donald John Trump,

Defendant., et al.

**CIVIL ACTION**

Complaint and Jury Demand

Docket No. \_\_\_\_\_

2021 FEB 19 P 12:20

**JURISDICTION**

1. This action arises under the United States Constitution and the Laws of the United States, including, Article III, Section 1 of the United States Constitution and is brought pursuant to 42 U.S.C., Code 1983; and 42 U.S.C., Code 1988 (a) and (b); Jurisdiction of this Court is invoked pursuant to 28 U.S.C., Code 1331; 28 U.S.C., Code 1332 (a) and (1); and 28 U.S.C., Code 1343 (a) and (3);

**BASIS FOR JURISDICTION**

2. This complaint derive from the actions of former President Donald John Trump, who is now a private citizen. For purposes of this complaint, the Defendant in his official capacity as the Commander in Chief of the United States, violated an oath of office he swore under Article 2, Section 1, affirming that he would preserve, protect and defend the Constitution of the United States against all enemies both foreign and domestic.
3. Under that oath, Donald Trump swore and affirmed, he overtly and blatantly violated that pledge, when the former President, literally became the very domestic enemy to the Constitution he swore to defend.
4. The posture of Donald Trump, literally becoming the domestic enemy to the United States Constitution cannot be minimized, since the Constitution this former President trampled under his feet, contained no guidance or provisions to remedy this extreme abuse of power by a seated President.
5. This extreme abuse of the Executive Branch of Government, by a seated President, was compounded by an unprecedeted partisan relationship Donald Trump enjoyed with his fellow Republican Legislators and Republican supporters, constituting a three-pronged Faustian deal with the devil.
6. It was under these circumstances, the Constitutional rights, privileges and immunities of the Plaintiff class were violated by Donald Trump.
7. Former President Trump violated Article 2, Section 1, of the United States Constitution, when he initiated an **experiment** to achieve a natural herd immunity to COVID-19, without a vaccine, as a viable intervention to the disease.

8. Donald Trump who acted in the official capacity of President of the United States, follow and expose him to Civil Liabilities under the color of Federal Laws, where now in his capacity as a private citizen, he is being named as a Defendant in this action, for violating the Constitutional rights, privileges and immunities of the Plaintiffs herein named.
9. That Constitutional breach exposes Donald Trump to the Civil Liabilities cited in this action at Law, Suit in Equity and other proper proceedings for redress.

**VENUE**

10. Venue is proper in the United States District Court, since this Complaint name a class of Plaintiffs, some of who currently live in multiple States and others, before they succumbed and died from the effects of COVID-19, formerly lived in multiple State Jurisdictions throughout the contiguous United States.

**PARTIES**

11. **Plaintiffs:** Arnett Thomas resides at 340 Thomas Boulevard (Apt 9-S), in the City of Orange, County of Essex, State of New Jersey 07050; Vernon D. Robinson resides at 322 E. Second Avenue (Apt 1), Roselle, New Jersey 07203; Odell White (Deceased), resided in East Orange, New Jersey; Charles Wheeler (Deceased), resided in Roselle, New Jersey; John Schofstaff (Deceased), resided in Terra Haute, Indiana; April Dunn (Deceased), resided in Baton Rouge, Louisiana; Daniel Spector (Deceased), resided in Memphis, Tennessee; Julie Butler (Deceased), resided in New York City; Luis Juarez (Deceased), resided in Romeoville, Illinois; Lisa Burhannan (Deceased), resided in Harrisburg, Pennsylvania; Araceli Buendia Ilagan (Deceased), resided in Miami, Florida; Freddie Brown Jr., (Deceased), resided in Flint, Michigan; Freddie Brown III (Deceased), resided in Flint, Michigan; Lorena Borjas (Deceased), resided

in El Paso, Texas; Mary Lou Armer (Deceased), resided in Santa Rosa, California; Tawauna Averette (Deceased), resided in Akron, Ohio; Peyton Baungarth (Deceased) resided in St. Louis, Missouri; Gianmarco Bertolotti (Deceased), resided in New York City; Sgt. Terek Patterson (Deceased), resided in Bedminster, Pennsylvania; Martin Douglas (Deceased), resided in New York City; Robert McNeil, resides at 200 Third Street, Elizabeth, New Jersey 07207; Kyra Swartz (Deceased), resided in New York City; Rhoda Hatch (Deceased), resided in Chicago, Illinois; Peter Brown (Deceased), resided in Browns Mill, New Jersey; Theodore Gaffney (Deceased), resided in Washington, D.C.; Roger McKinney (Deceased), resided in Lowell, Massachusetts; Joseph F. Kelly (Deceased), resided in New York City; Julie Butler (Deceased), resided in New York City; Helene R. Robinson, resides at 340 Thomas Boulevard (Apartment 9-S), Orange, New Jersey 07050; LeShawn Robinson, resides at 340 Thomas Boulevard (Apartment 9-S), Orange, New Jersey 07050:

**12. Defendant:** Donald J. Trump, resides at 1100 South Ocean Boulevard, Palm Beach, Florida 33480.

#### **NATURE OF THE CASE**

13. This action involves three classes of Plaintiffs, the first being: (1) Plaintiffs who contracted COVID-19 and survived the disease; (2) Plaintiffs who succumbed and died from the disease; and (3) Plaintiffs who suffered financial, social and psychological collateral damages to COVID-19.

14. It is alleged that former President Donald Trump, handled and controlled COVID-19, through his Corona Virus Taskforce, headed by his Vice President Mike Pence, with such negligence, that his management of the Pandemic was **criminal**.

15. Specifically, Donald Trump alienated the Executive Branch of Government in Washington, D.C., from State Governors, allocating minimal and sometimes no support and resources from the coffers of the Federal Emergency Relief Fund, forcing many of those Governors to clean up the massive gaps the former Commander in Chief created in his national response.
16. This former Commander in Chief intentionally and maliciously withheld vital resources from State Governors, who in spite of the fiscal resources being withheld from them through Donald Trump's malicious actions, they supplied to their constituents the many necessities of food, shelter and other support required to subsist and survive.
17. Those many State Governors, valiantly scrambled to insure that the basic necessities of food and shelter were provided to their constituents.
18. While the full scope of this dereliction of duty on the part of Donald Trump, has not been fully told and quantified, this Commander in Chief, intentionally alienated himself from many Democratic and some Republican Governors, who he felt did not show him the respect he demanded.
19. This extreme autocratic behavior was typical to Donald Trump as Commander in Chief during his entire four years in office.
20. Donald Trump wielded the power of the Office of Presidency in the fashion of a dictatorial, power struck, spoiled, immature child, vindictively punishing his political enemies and rewarding those people who bowed down to him.
21. This former President wielded the powers coming from the White House in a personal and oftentimes malicious manner, calling out his detractors using defamatory and

unflattering names, identifying countries, cities and neighborhoods occupied by Black people as **shit holes.**

22. The unsung heroes over the past four years were New Jersey's Governor Phil Murphy, and many other Governors, who braved the storm of COVID-19, oftentimes detached from Donald Trump's Administration, where they were forced to strain the resources of nonprofits and food banks who organized food distribution points, while the former President, golfed, traveled incessantly from Washington D.C., to Mara a Lago at tax-payers expense, going on discursive tirades and rants on social media, vacillating back and forth on the prevailing issues of the day and time he deemed were important.

23. Nancy Pelosi and the Democratic House who braved four years of Donald Trump's insanity, deserve the highest respect, where in spite of that insanity and that of Republican Senators, who in an unprecedented showing of a perverse partisanship, upset and threw out of balance the Democratic values upon which this country was founded and built.

24. Donald Trump, psychologically expelled on the United States Constitution and the United States of America, the fecal matter and urine the rioters physically expelled inside of the Capitol Building on January 6, 2021.

25. This firm rebuke and more, is rightfully deserved to this former President, who held himself above the Law, acting out on America's public stage with such ugliness and poisonous venom, that it may take years to heal the damage Donald Trump inflicted on this country.

26. It is alleged that Donald Trump did not kill just one person on Fifth Avenue in New York City and got away with that murder, he is responsible for the deaths of hundreds

of thousands of people across the expanse of America, by deploying and unleashing a **natural herd immunity experiment** which would contribute to five million reported COVID-19 cases and five hundred thousand deaths, both of which could have been drastically minimized and prevented.

27. If this former President is not criminally prosecuted to the fullest extent of the Law for his many crimes against the American public, his rape of Justice may have lasting negative effects on this country.
28. Since there is a deep informational vacuum about the nature of COVID-19, namely, are individuals forever immune after contracting the disease, can those people be reinfected and can individuals who never contracted the disease and received a vaccination, be infected by Corona Virus?
29. Covid-19, embraces a wide spectrum of cases where individuals have shown to be: (a) asymptomatic to the disease; (b) symptomatic to the disease and recovered; (c) symptomatic to the disease and died from its effects and (e) those individuals who are potentially at risk to contracting the disease at some future date and time.
30. Assuming a Jury finds Donald Trump, responsible and thus liable for damages to this wide class of Plaintiffs, those individuals who may contract the disease in the future should be eligible to claim damages from the Defendant.
31. World medical communities have gained considerable knowledge about the transmission of contagious diseases, particularly, Cholera; Diphtheria; Infectious Tuberculosis; Polio, Smallpox; Ebola; Typhoid Fever; Sar's Virus, (Severe Acute Respiratory Syndrome); MERS; and COVID-19; and none of them were overcome by the natural herd immunity experiment Donald Trump performed on the American public.

32. That commonly known and established knowledge about world Pandemics, unequivocally substantiate, in the case of COVID-19, Donald Trump when faced with this contagious and virulent disease, had no other alternative than to Order a nationwide quarantine and lockdown of the economy, schools and businesses.
33. Under the purview of Article 2, Section 1, of the United States Constitution, former President Donald Trump, did willfully, intentionally, with premeditation and forethought, violate his oath of office, by placing three hundred plus million Americans at risk to being exposed to COVID-19, when he ignored that he was Constitutionally mandated and required to implement a **Federal Isolation Mandate** for the purpose of protecting and shielding Americans from being exposed to this disease.
34. While COVID-19, has proven to be a formidable disease, given the posture of former President Donald Trump, America is fortunate that COVID-19, did not rise to the level of the Spanish Flu Pandemic, where given his national response, potentially millions of people could have died.
35. Because Donald Trump did not implement a strict **Federal Isolation Mandate**, more than five million Americans have been infected by COVID-19 and the disease has claimed upwards to five hundred thousand lives.
36. Many of those infections and deaths were **preventable** had former President Donald Trump followed the standard procedure prescribed when dealing with a worldwide Pandemic.
37. Yet, this former President did not care, as evidenced by an extreme case of cognitive disconnection, where he refused to hear voices of reason and would not tolerate any

individuals to be in his orbit, who would dare speak truth to power to him and the course of action he had taken in dealing with COVID-19.

38. Rather than ordering a strict **Federal Isolation Mandate** for the entire country, Donald Trump refused to support the many attempts by State Governors to isolate and quarantine the American public.

39. Former President Donald Trump, critically aware that quarantining the American public on a national level, would have had a devastating effect on the economy, attempted an end-run around this option, by rolling out an experiment where an untested theory of natural herd immunity without the benefit of a vaccine, would serve as an effective intervention to COVID-19.

40. It was told to Donald Trump by countless epidemiologists and scientists, that this natural herd immunity experiment, conducted without the benefit of a vaccine, would in essence be **mass murder**.

41. Donald Trump, unphased that millions of Americans would contract COVID-19 and hundreds of thousands more would die, carried the unfortunate consequence that this misguided experiment would overwhelm hospitals, create public health emergencies, place at risk hundreds of thousands of elderly people, who would die in nursing homes under cruel and inhumane circumstances, many to be buried in mass graves, yet, this former President, desperate to avoid having to face a failing economy, opted to place millions of Americans at risk to COVID-19.

42. Donald Trump did not have the authority to enlist not one American in his untested experiment to achieve natural herd immunity, without the express approval and consent of those individuals, whose Constitutional interests of life, liberty and the

pursuit of happiness, guaranteed them protections under the Due Process Clause of the Fourteenth Amendment.

43. This breach on the part of Donald Trump, to bring millions of Americans into the national net of his untested natural herd immunity experiment, ignored the volumes of scientific data, which empirically established that traveling down that path without a vaccine, was extremely reckless.

44. Donald Trump's natural herd immunity experiment, without a vaccine, was premeditated, willful and intentional.

45. The experiment Donald Trump conducted, without the benefit of Americans being able to opt in or out of the many consequences' attendant with this disease, to approve or disapprove exposing themselves to the many risks they would face, violated their Due Process Rights.

46. The path to achieving the natural herd immunity contemplated in Donald Trump's national experiment, carried with its deadly consequences.

47. Donald Trump's motive for implementing, carrying out and deploying this natural herd immunity experiment, emanated from his desperation to revive an economy heavily impacted by the Pandemic and thereby, if his experiment would prove to be successful, it would enhance his chances of being reelected as President for a second term, Donald Trump's political aspirations is what motivated all of his decisions.

48. With the health of the economy translating to the impending Presidential elections on November 7, 2020, Donald Trump made the conscious decision to hedge his bet on an untested herd immunity experiment without a vaccine.

49. In furtherance of this untested herd immunity experiment without the benefit of a vaccine, Donald Trump enlisted Doctor Scott Atlas to steer the Corona Virus

Taskforce, headed by Vice President Mike Pence, with the express agenda to open the economy, schools and businesses.

50. Doctor Anthony Fauci, who initially headed the former President's Corona Virus Taskforce, publicly opposed opening the economy, schools and business without a vaccine in place and characterized such a move as being insane, for this opposition his role in the Taskforce was marginalized through a gag Donald Trump imposed on him.
51. As a backdoor to the policy of shutting down the economy, schools and businesses, Donald Trump attempted to fast track the opening of the economy, schools and businesses through his natural herd immunity experiment.
52. **The Great Barrington Declaration**, signed on October 4, 2020 and ratified by a core group of forty-seven public health scientists, served to reinforce Donald Trump's experiment.
53. This ratification of the Great Barrington Declaration now provided a basis and justification for Donald Trump to open the economy, schools and businesses.
54. Since the ratification of the Great Barrington Declaration, half of the forty-seven signers, has since broken ranks with the core group and gone public, indicating the Great Barrington Declaration was a political hoax created by Donald Trump.
55. It has since been learned, several of the people who signed the Great Barrington Declaration, were fictitious.
56. In addition, countless public health scientists, organized and formed, charging that the Great Barrington Declaration, was the worse form of political prostitution of public health scientists seen since the **Tuskegee Experiment**, where hundred of

Black men were intentionally infected with Syphilis without their consent and approval.

57. A list of experts in the field of epidemiology and critics to Donald Trump's natural herd immunity experiment include: Dr. John Campbell; the John Hopkins Foundation; Doctor Anthony Fauci; Health Secretary Matt Hancock; PBS NewsHour; CBS News; Doctor Hilary; Lady Collin Campbell; Sabine Hossenfelder; News Nation Now; Martin Rees; The Modern Society Initiative; Ami Goodman of WBAI; Lawrence Wood; CNBC Television; The Ring of Fire; John Hopkins School of Public Health; Health Watch USA; New England Public Media, John Hopkins Medical School and others.

58. At issue here are two diametrically opposing positions for responding to COVID 19:

(1) Keep the economy, schools and businesses locked down until such time at least eighty percent of the American public could be vaccinated, or (2) Open the economy, schools and businesses, without having secured a national defense immunity, in the form of a vaccine, where the untested theory and experiment of natural herd immunity would expose millions of Americans to COVID-19.

59. Option #2 prevailed, exposing millions of people to contract COVID-19 and hundreds of thousands more to die.

60. Position #1 was designed to reduce the rate of mortality and deaths, position #2 was intentionally designed to encourage mortality and deaths through the spread of the disease.

61. Politics laid at the foundation of position #2, since pressures brought to bear on Donald Trump, compelled him to fund the Great Barrington Declaration to justify opening the economy, schools and businesses, without first having secured an

acceptable level of an immune defense to COVID-19, position #1 insisted that the economy, schools and businesses remain closed until such time that a vaccine to Covid-19 could be developed.

62. Notwithstanding, position #2, that is, the decision by Donald Trump to intentionally expose millions of people to COVID-19, through a hands off policy to not enforce every possible measure available to keep Americans safe until a vaccine was developed, operated in violation to this President's duties and responsibilities to keep the American public safe, since that decision overrode a vested interest all Americans had to not be exposed to the disease.

63. Instead, Donald Trump elected to respond to COVID-19, outside of the established guidelines and procedures for treating this Pandemic which had stricken the United States, those guidelines and procedures were to enforce a nationwide lockdown of the economy, schools, businesses and curtail all social interactions where the transmission of the disease were possible, those measures would have dramatically minimized millions of people from contracting the disease and hundreds of thousands from dying.

64. Donald Trump did not have the legal right or authority to place at risk one American citizen to COVID-19, under his contrived plan to open the economy, schools and businesses, based on an untested experiment that natural herd immunity without a vaccine would be an effective intervention.

65. For these reasons, because Donald Trump took it upon himself to expose millions of Americans to COVID-19, based on achieving natural herd immunity without a vaccine and that decision occurred without the consent and approval of the people put at risk, the former President is liable to the individuals who contracted COVID-

19, the families of those individuals who died, those people who are at risk to contracting the disease and millions of others who suffered collateral consequences of the disease such as depressions, suicides, anxiety, loss of income, hunger and a long list of ills created by COVID-19.

66. While the thrust of these claims has been mitigated by a vaccine which will establish the herd immunity Donald Trump's natural herd immunity experiment attempted to achieve, the lasting impact of COVID-19, transcends the physical disease, as it imposed an unfolding mental health, affecting millions of students, teachers, children, families, the economy and every facet of American life and living.

67. It is estimated that Donald Trump's natural herd immunity experiment, costed America to lose upwards to twenty-five trillion dollars, (\$25,000,000,000,000).

#### **CAUSE OF ACTION**

68. Upon information and belief, approximately December 31, 2019, China was stricken with its first case of Covid-19, this date is now in dispute.

69. Upon information and belief, approximately January 21, 2020, the United States reported its first case of Covid-19, this date is also now in dispute.

70. Upon information and belief, approximately February 9, 2020, Doctor Tedros Adnaom Ghebreyesus of the World Health Organization, declared Covid-19 to be a worldwide Pandemic, advising that the American Government should immediately impose a **Federal Isolation Order, Mandatory Lockdown and Quarantine of the entire Economy, Schools and Businesses.**

71. Upon information and belief, this advice to Donald Trump coming from the World Health Organization to issue a National Federal Isolation Order, was the second string of horrific events, the first being the worldwide Pandemic, both of which

portended, “if a dramatic course of action were not taken by the President to impact COVID-19, the Presidential elections for Donald Trump could be gravely imperiled.”

72. Upon information and belief, prior to the Pandemic striking the United States, by all intents and purposes, Donald Trump’s chances of being reelected for a second term as an incumbent President was highly likely, since despite the many shortcomings and misgivings of his highly partisan leadership style, the economy was thriving, jobs were soaring and the Stock Market was doing well, those indicators greatly enhanced the odds that Donald Trump would be reelected for a second term.
73. Upon information and belief, “providence and fate are two inexplicable phenomenon,” the Pandemic and now the advice from the World Health Organization, to order and enforce a strict nationwide Federal Isolation Mandate, for Donald Trump was counterintuitive.
74. Upon information and belief, the advice of a Federal Isolation Order, Mandatory Lockdown and Quarantine of the entire Economy, Schools and Businesses, for Donald Trump, was tantamount to undoing his many undisputed economic accomplishments.
75. Upon information and belief, the only way for Donald Trump to politically survive the Pandemic and Federal Isolation Order, was to dramatically change his playbook, beginning with reaching across the aisle to the Democrats, closing off influences from the many people who had his ear, keeping the American people safe and lastly, not to politicize COVID-19.
76. Upon information and belief, Donald Trump rather than reaching across the aisle, further distanced and alienated himself from Democrats, the natural herd immunity

experiment he undertook, rather than keeping the American people safe, endangered every American man, woman and child, lastly, he politicized COVID-19, when he gave Doctor Scott Atlas control over his Corona Virus Taskforce for the purpose of silencing Doctor Anthony Fauci, thereafter commissioning the Great Barrington Declaration as a politically driven stunt which was rejected by hundreds of scientists.

77. Upon information and belief, approximately March 11, 2020, Donald Trump strenuously opposed suspending all NBA games, as well as suspending NHL games, in addition, the former President opposed the nationwide closing down of all bars, cinemas and other venues where social interactions take place.

78. Upon information and belief, approximately March 31, 2020, coming from that opposition, Covid-19 had now spread and reached thirty-five states.

79. Upon information and belief, approximately April 15, 2020, a Class action suit was launched from the United States by the Berman Law Group, suing China for the loss of American lives and the economic devastation the Pandemic caused.

80. Upon information and belief, approximately May 1, 2020, former President Donald Trump, begins to roll out an untested experiment of achieving natural herd immunity without a vaccine, as an intervention to Covid-19.

81. Upon information and belief, approximately May 20, 2020, former President Donald Trump announces that Doctor Scott Atlas, will work hand in hand with Vice President Mike Pence who headed Washington's Corona Virus Taskforce.

82. Upon information and belief, Doctor Scott Atlas would serve as former President Donald Trump's mole inside of the Corona Virus Taskforce, whose objective were to contain Doctor Anthony Fauci, was the only independent voice of reason who opposed the former President's natural herd immunity experiment.

contain Doctor Anthony Fauci, who was the only independent voice of reason, who opposed the former President's natural herd immunity experiment.

83. Upon information and belief, approximately June 5, 2020, a group of infectious disease epidemiologist and public health scientists began organizing at the behest of former President Donald Trump, this organization of public health scientists would develop the **Great Barrington Declaration**, a public health manifesto, purchased by the former President for the purpose of justifying and arming his natural herd immunity experiment with support from professionals in the medical field.

84. Upon information and belief, approximately July 1, 2020, Donald Trump would begin to openly subscribe to natural herd immunity as an effective intervention to CODIV-19.

85. Upon information and belief, approximately August 5, 2020, John Hopkins University, repudiated and rejected Donald Trump's natural herd immunity experiment.

86. Upon information and belief, approximately October 8, 2020, the New England Journal of Medicine in a two hundred year break from the tradition of nonpartisanship, weighed in on Donald Trump's experiment of natural herd immunity, stating in an article written in the School's Journal, "Dying in a Leadership Vacuum," adding, "The Trump administration have taken a crisis and turned it into a tragedy," the Journal further boldly declared, "We should not abet them and enable the deaths of thousands more Americans by allowing them to keep their jobs."

87. Upon information and belief, approximately October 01, 2020, the Dean of Brown University, Doctor Ashish Jha declared that Donald Trump's natural herd immunity policy was a dangerously reckless policy.

88. Upon information and belief, October 30, 2020, the Great Barrington Declaration, commissioned at the behest of former President Trump, was condemned by approximately five hundred scientist and medical health professionals.

89. Upon information and belief, approximately October 31, 2020, more than four hundred thousand America's died from Covid-19.

90. Upon information and belief, approximately November 1, 2020, Donald Trump and Vice President Mike Pence having totally and abandoned waging a concerted fight against Covid-19, concentrate their energies on the November 7, 2020, Presidential elections.

91. Upon information and belief, approximately November 8, 2020, Donald Trump, realizing that he lost the Presidential elections to Joseph R. Biden Jr., begins to develop a pretext, charging that the 2020, Presidential elections, were stolen from him.

92. Upon information and belief, approximately November 15, 2020, Donald Trump, now entrenched in a futile fight to challenge the 2020, Presidential election's results, totally and completely abandons fighting the Pandemic.

93. Upon information and belief, approximately December 1, 2020, Donald Trump continues to prime his Republican based of supporters, consisting of racist White men and women, racist organizations such as the Proud Boys, the Oath Keepers, Neo Nazis', the One Percenters and Ku-Klux Klan members.

94. Upon information and belief, approximately December 20, 2020, Governor Phil Murphy and numerous other State Governors, who had been overseeing the management of COVID-19, in their respective States, called for Donald Trump to abandon his futile attempts of refusing to conduct an orderly transition of power, so

that the incoming President Joseph R. Biden, could embark on establishing an effective fight against the insidious disease.

95. Upon information and belief, Donald Trump having abandoned and relinquished his Constitutional duties to preserve, protect and defend the American people from the foreign enemy COVID-19, which visited and descended on the United State, ignored and disregarded those calls from State Governors.

96. Upon information and belief, those many State Governors and Mayors of cities across the United States, can testify to the veracity of these claims, those officials include and are not limited to:

Governor Phil Murphy; Governor Jared Polis; Governor Ned Lamont; Governor John Carney; Governor Laura Kelly; Governor Janet Mills; Governor Tim Waltz; Governor Michelle Lujan Grisholm; Governor Jay Inslee; Governor Kate Brown and others; the Mayors include; Bill de Blasio; Lori Lightfoot; Muriel Bowser; Ras Baraka; Dwayne Warren; Ted R. Green; Ted Warren; Eric Johnson; Joe Hogsett; Brandon Scott; Jim Strickland; Keisha Lance Bottoms; Mary-Ann Baldwin; Mike Duggan; Jim Kenny and countless other Governors and Mayors whose States and Cities survived in spite of Donald Trump's negligent actions.

97. Upon information and belief, approximately January 1, 2021, Donald Trump begins coordinating his Republic base of White men and women across the United States, for the purpose of the launching an attack against the Capitol Building on January 6, 2021, which was designed to interrupt confirmation of the votes cast for President elect Joseph R. Biden Jr.

98. Upon information and belief, this coordination to interrupt the confirmation of votes for President elect Joseph Biden Jr., was funded and underwritten by former President Donald Trump in the form of transportation to Washington, D.C.

99. Upon information and belief, approximately January 6, 2021, former President Donald J. Trump, in anticipation of tens of thousands of men and women converging on the Capitol Building, set up a rally to intercept the hordes of men and women converging on Washington, D.C.

100. Upon information and belief, the prelude to those tens of thousands of men and women storming the Capitol Building, at 11:55 a.m., former President Donald Trump conducted a speech at the Capitol Building's ellipse, where he blatantly and overtly incited the group to converge on the Capitol Building and "take back their country," 'promising that he would join them on their trip to the Capitol Building.'

101. Upon information and belief, approximately January 6, 2021, a half hour after former President's speech to the hordes of people he incited to riot, thousands of men and women breached the Capitol Building, unleashing an unprecedented violence on Capitol Police, with one officer being killed, a civilian rioter being shot and killed, Vice President Mike Pence being terrorized and threatened with death, as well as death threats waged against Nancy Pelosi and the entire House of Representatives.

102. Upon information and belief, a second impeachment vote of former President Donald Trump for the January 6, 2021, insurrection, took place and was conducted by the House, the measure passed 232 to 197.

103. Upon information and belief, that trial was conducted from February 8 thru February 14, 2021.

104. Upon information and belief, in a shameless show of partisan politics, Republican Senators voted to acquit former President Donald J. Trump for coordinating, funding and inciting tens of thousands of men and women to storm the Capitol Building on January 6, 2021.

105. While Donald Trump is entitled to all of the protections afforded a Defendant, a fair trial and impartial Jury, the Plaintiffs' allege that this Defendant through his unlimited financial resources, has evaded having to take responsibility for his crimes dating back to his childhood, more than seventy years ago when he was a student at a Military School, witnesses have recounted how through his unfettered power and privilege he terrorized that school, the continuity of that abusive behavior, from that time, up to being elected as President of the United States, follow a direct path.

106. Covid-19, as a formidable world Pandemic, without the negligence of Donald Trump, would have undoubtedly claimed countless casualties and lives, however, the five million contracted cases and the five hundred-thousand deaths, far exceeds the number of cases which would have otherwise occurred, had Donald Trump implemented a **Federal Isolation Order, a Mandatory Lockdown and Quarantine of the entire Economy, Schools and Businesses.**

107. January 21, 2020, when it became known that the Pandemic had reached the United States, the strict order of business for a competent President, was to treat COVID-19, as the threat that it was, if this would have happened, millions of cases could have been prevented and hundreds of thousands of people would not have died.

108. Instead, Donald Trump concerned with how the implications of COVID-19, would impact his political aspirations, rolled out an insane experiment to manage and

control the disease through a theory where natural herd immunity would expedite and speed the threshold rate of infections.

109. Not only was this experiment the workings of a mad man, it was in violation to the United States Constitution, since Donald Trump did not have the authority or Lawful right to bring American citizens into the fold of his experiment without their express consent and approval.

**COUNT ONE**

**110. Violation of Section 1983; Title 42 of the U.S. Code provides for Equal Protection under the Law as guaranteed under the Fourteenth Amendment of the Due Process Clause, stating in relevant part:**

“Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other persons within the jurisdiction thereof, to the deprivation of any rights, privileges, or immunities secured by the Constitution and Laws, shall be liable to the party injured in an action at Law, Suit in Equity, or other proper proceedings for redress.”

**111. Violation of Section 1988; Title 42 of the U.S. Code provides for Proceedings in Vindication of Civil rights, stating in relevant part:**

“The Jurisdiction in Civil and Criminal matters conferred on the District Courts by the provisions of Titles 13, 24 and 70 of the Revised Statutes for the protection of all persons in the United States in their Civil rights, and for their vindication, shall be exercised and enforced in conformity with the Laws of the United States, so far as the Laws are suitable to carry the same into effect; but in all cases where they are not adapted to the object, or

are deficient in the provisions necessary to furnish suitable remedies and punish offenses against the Law, as modified and changed by the Constitution and Statutes of the State wherein the Court having Jurisdiction of such Civil or Criminal cause is held, so far as the same is not inconsistent with the Constitution and Laws of the United States, shall be extended to and govern the said Courts in the trial and disposition of the cause, and if it is criminal in nature, in the infliction of punishment on the party found guilty."

**COUNT TWO**

**112. Violation of 42 U.S.C. Section 1983 – Deliberately creating Policies, Practices, Training and Supervision in violation of the Fifth and Fourteenth Amendments of the U.S. Constitution, stating in relevant part:**

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other persons within the Jurisdiction thereof, to the deprivation of any rights, privileges, or immunities secured by the Constitution and Laws, shall be liable to the party injured in an action at Law, Suit in Equity, or other proper proceedings for redress."

**113. Violation of 28 U.S.C., Code 1331 which state in relevant part:**

"The District Courts shall have original Jurisdiction of all Civil Actions arising under the Constitution, Laws, or treaties of the United States."

**114. Violation of 28 U.S.C., Code 1332 (a) and (1) which state in relevant parts:**

- (a) "The District Courts shall have original Jurisdiction of all Civil Actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs."
- (1) "Citizens of different States.

**115. "Violation of 28 U.S.C., Code 1343 (a) and (3) which state in relevant parts:**

- (a) "The District Court shall have original Jurisdiction of any Civil Action authorized to be commenced by any person:
- (3) "To redress the deprivation, under the color of any State Law, Statute, Ordinances, Regulations, Customs or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any act of Congress providing for equal rights of citizens or of all persons within the Jurisdiction of the United States; Plaintiffs hereby incorporate all other previous paragraphs of this Complaint as fully set forth herein.

116. All of the Plaintiffs herein named, are citizens of the United States and therefore the Constitutional rights, privileges and immunities are cognizable by the United States District Court for redress of their grievances.

117. Donald Trump is a citizen of the United States and therefore liable to its Laws. Upon information and belief, Donald Trump's conduct was undertaken for the purpose of depriving Plaintiff's equal protection and benefits of the Law, equal privileges and immunities under the Law and Due Process Rights in violation of the Fourteen Amendment and section 1983. The requirement of equal protection is contained in the Due Process Clause of the Fifth Amendment of the United States Constitution.

118. Upon information and belief, Donald Trump who is now a private citizen, is not entitled to the Absolute or Qualified immunity he previously enjoyed as President of the United States.

119. As a proximate result of Donald Trump's conduct, the Plaintiffs suffered physical, emotional, social, monetary and psychological injuries and damages, entitling them to compensatory and special damages.

120. Upon information and belief, the Plaintiffs suffered the loss of past, present and future earnings, including impaired earnings of their respective businesses. Plaintiffs are further entitled to attorney's fees and costs pursuant to 42 U.S.C. section 1988, pre-judgment interest and costs as allowed under Federal law.

121. Upon information and belief, in addition to compensatory, economic consequential and special damages, Plaintiffs are entitled to punitive damages against Defendant Donald J. Trump, under 42 U.S.C. section 1983, in that these acts were performed maliciously, willfully and with reckless and wanton disregard of the Plaintiff's Constitutional rights.

**WHEREFORE, the entire class of Plaintiffs, demand judgment against the defendant, Donald J. Trump as follows:**

- 1.** Compensatory damages to be distributed to the Plaintiff class and their families by a Special Court appointed Master, in the amount of **one trillion dollars (\$1,000,000,000,000)**.
- 2.** Punitive damages in the form of Declaratory relief, documenting for the historical record, what happened in this case, when former President Donald J. Trump, swore to protect and defend the Constitutional rights, privileges and

immunities of the American people, against enemies both foreign and domestic and literally became that domestic enemy.

3. Declaratory relief in the form of a statement to the Legislative Branch of Government directing that body, in the interest of the United States to explore understanding how the breach occurred where former President Trump gained access to the very heart and mind of the United States Government, for the purpose of implementing Legislation to foreclose the chances that another breach of this kind will never occur again.
4. Pain and suffering inflicted upon the millions of people who although they did not contract COVID-19, suffered immeasurable irreparable damages and harm.
5. Attorneys fees and costs, plus interest.
6. For such other and further relief as the Jury and Court deems proper.

By: \_\_\_\_\_  
Arnett L. Thomas, Plaintiff-Pro Se

Dated: February 28, 2021

**Declaration Under Penalty of Perjury**

Arnett L. Thomas, of full legal age, being duly sworn, upon my oath, certifies and says: The statements made by me in this Complaint are true and accurate to the best of my knowledge, information and belief. I am aware that perjury, or false swearing is punishable by a fine and or imprisonment. 28 U.S.C. 1746; 18 U.S.C. 1621.

By \_\_\_\_\_  
Arnett L. Thomas, Plaintiff - Pro Se

Dated: February 28, 2021

**Certification of no other Issues**

It is hereby stated that the matter in controversy in this Complaint is not the subject of any other action, pending arbitration or proceedings, to the best of my knowledge, information and belief, no other action or arbitration or proceedings is contemplated. Further, other Plaintiffs and Defendants set forth in this pleading, may be named in an amended Complaint. In addition, we recognize the continuing obligation of each party to file and serve on all parties and the Court an amended certification if there is a change in the facts stated in this original certification.

By: \_\_\_\_\_  
Arnett L. Thomas, Plaintiff - Pro Se

Dated: February 28, 2021

**Demand of Trial by Jury**

Plaintiff demands a trial by jury on all triable issues.

By: \_\_\_\_\_  
Arnett L. Thomas, Plaintiff - Pro Se

Dated: February 28, 2021

**Addendum to the attached 1983 Civil Rights Complaint**

COVID-19, is not solely a “physical disease that attacks the body, it is a mental disease whose attacks on the mind has by an large gone untreated and undiagnosed.”

“The attack by COVID-19, on the minds of its countless victims is born from the isolation its victims are forced to endure alone.”

Being a “recovering criminal,” who has remained in the community for twenty-one years without having returned back to prison, the renowned Neuropsychologist Doctor Samuel Kesselmann was commissioned in 1972, to conduct an assessment for the causes and reasons behind the Rahway Prison Riot which occurred on Thanksgiving Day 1971, he concluded:

First recognizing the long known and established fact, “human being at their core, are social beings, and in spite of being incarcerated, they have innate needs to socialize, congregate and enjoy fresh air and space outside of their cells, which serves to counterbalance the many effects of long protracted periods of being confined in four feet by eight feet living spaces.”

Coming from this assessment the New Jersey Department of Corrections ushered in radical changes of its “management psychology of prisoners.”

Those changes included: “Increased periods prisoners spend out of their cells; extended yard periods; the opportunity for prisoners to play basketball, baseball, handball and lift weights; programs were provided in the prison by Doctor Frances Cress Welsing of the Neuropsychiatric Institute at Princeton; Behavior Modification Programs were instituted, weekly family contact visitations were permitted, the opportunity to have personal televisions and radios became a policy and the formation of a Prisoners Grievance Committee reporting directly to the Warden.”

These changes served as a “first alert warning system of potential impending problems.”

It is vital that State Governors and Mayors of cities and towns recognize the many psychological underpinnings of COVID-19, they are; **“COVID AFFECTED DISORDER, (C.A.D.), COVID AFFECTED PSYCHOLOGICAL EPISODES, C.A.P.E., and COVID AFFECTED SYNDROME, (C.A.S.).”**

The response to these psychological disturbances remains largely unrecognized, undiagnosed and untreated by professionals.

“There is a large group of individuals afflicted by these disorders, episodes and syndromes, which manifest in multiple silent symptoms; suicides, depressions, opioid abuse, anger, anxiety, loneliness, a sense of hopelessness, despair, excessive eating, drinking of alcohol, weight gain, prolonged periods spent sleeping, and violence resulting in injuries and sometimes deaths.”

A starting point to mitigate these events would be to first acknowledge that COVID-19, is not just a disease which affects the bodies of its victims, COVID-19, also affects individual’s minds and thinking.

Some of the proposal to offset the effects of these disorders, episodes and syndromes, is to first engage psychologists and other professionals in the psychological treatment of COVID-19; to implement programs such as Safe Distance Meetings; Safe Distancing Walks; The usage of spaces where people can congregate using Safe Distancing; To employ Social Workers to routinely conduct visits of people who have endured protracted isolation and lockdowns.

Attention should be paid to young school aged children and the elderly; Doctors should monitor excessive weight gains and repeated requests by patients for opioid medications should raise “Red Flag Warnings.”

These and many other measures should immediately be taken to offset COVID-19’s mental health impact on a vast number of people.

Turning back to prisoners, if COVID-19, has been physically and psychologically challenging for those people who are not incarcerated, imagine how much greater this disease impacts men, women and children who are incarcerated?

Remember, irrespective to the crimes which landed men, women, boys and girls to be incarcerated, they are human beings, which nine out of ten will someday be released.